



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TJR
Docket No: 10247-02
8 September 2003

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 3 September 2003. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

On 10 June 1986 in your pre-enlistment documents you admitted to prior use of marijuana. However, you were granted a waiver for this pre-service drug use, and on 11 June 1986 you enlisted in the Marine Corps at age 18.

On 1 October 1986 you received nonjudicial punishment (NJP) for wrongful use of marijuana. The punishment imposed was a \$500 forfeiture of pay and restriction and extra duty for 20 days.

Subsequently, you were processed for an administrative separation by reason of misconduct due to drug abuse, and on 31 October 1986 you received an other than honorable discharge.

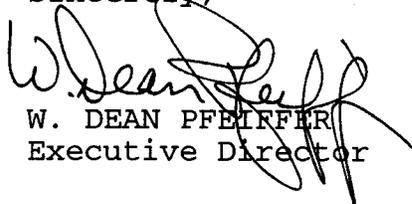
The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, and your contentions that you should not continuously suffer for the mistake you made by using drugs, and that your discharge was too harsh a penalty for using drugs. Nevertheless, the Board concluded these factors and contentions were not sufficient to warrant recharacterization of your

discharge because of your drug related misconduct. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,



W. DEAN PFEIFFER
Executive Director